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PREPARATION, ADOPTION AND AMENDMENT OF A COMPREHENSIVE
GENERAL PLAN AND AREA PLANS

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ARTICLE 1

PREPARATION, ADOPTION AND AMENDMENT OF A COMPREHENSIVE GENERAL PLAN AND AREA PLANS

[NOTE: Except as otherwise noted, the provisions of Article 1 of the Land Code were enacted on September 9, 1988 by Ordinance No. 88-3.]

CHAPTER 1. DEFINITIONS

Section 1-101.1. Consistent. The term "Consistent" shall mean in conformity with the objectives, policies, land uses, programs, maps and diagrams in the Comprehensive General Plan.

Section 1-101.2. Person. The term "Person" shall mean a natural individual, corporation, partnership, association, company, agency (public, private or governmental), institution or other identifiable entity. "Person" shall also include the Colorado River Indian Tribes and its enterprises.

Section 1-101.3. Plan. The term "Plan" shall refer to either the Comprehensive General Plan or an Area Plan, or both.

Section 1-101.4. Planned Unit Development. The term "Planned Unit Development" shall mean any development pursuant to Article 5 of the Land Code.

Section 1-101.5. Tribal Land Use Board. The term "Tribal Land Use Board" shall refer to that board, committee or other entity designated by the Tribal Council to carry out the responsibilities of this ordinance. Absent such a designation, the Resources Development Committee shall perform the functions of the Tribal Land Use Board.

CHAPTER 2. PURPOSE

Section 1-201. This code is adopted to preserve, protect and promote the public health, safety, peace, comfort, convenience, prosperity and general welfare of the members of the Colorado River Indian Tribes and the residents of the Colorado River Indian Reservation.

CHAPTER 3. COMPREHENSIVE GENERAL PLAN

Section 1-301. The Colorado River Indian Tribes Comprehensive General Plan shall be comprised of one or more plans for geographic segments of the Reservation. A plan for a specific geographic segment of the Reservation shall be known as an Area Plan. Any Plan may also include policies, standards or other provisions that apply throughout the Reservation. The map titled "Land Use Plan" included in each Plan shall be construed to be the zoning map for the area included in such Plan until a Reservation zoning ordinance is enacted. Any Plan shall be binding upon all persons with respect to the land within the Reservation which is covered by the Plan.

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Section 1-302. Lands outside the boundaries of the Reservation the use of which may affect the Reservation, members of the Tribe, or others residing on the Reservation, may also be included within the planning area of one or more Area Plans. If such lands are included, the plan may provide for entering into intergovernmental agreements for plan implementation on lands outside the Reservation boundaries.

Section 1-303. The adoption of the General Plan or any portion thereof, including any Area Plan, shall be a legislative act.

Section 1-304. Each Area Plan shall include goals, policies, standards and development guidelines, an inventory of existing cultural and natural resources in the planning area, and one or more maps or diagrams designating permitted land uses within the planning area. The Area Plan shall include a statement of the relationship of the Area Plan to the Comprehensive General Plan. Area Plans may also include other provisions which further the purposes of the Plan.

Section 1-305. If there is more than one Area Plan or other component(s) of the Comprehensive General Plan, such components shall be internally consistent, and every effort shall be made to construe such components as consistent with one another.

Section 1-306. The requirements, limitations and conditions set forth in a Plan shall be complied with by all persons conducting any activities within the scope of the Plan, irrespective of the status in which the land is held.

CHAPTER 4. PLAN ADOPTION AND AMENDMENT

Section 1-401. The Tribe shall prepare and adopt the Comprehensive Plan and Area Plans in the manner provided in this article.

Section 1-402. Prior to adoption of a Plan, the Tribe shall provide the opportunity for comment by Tribal members, members of the public residing on or leasing land within the planning area, and public agencies through public hearing and any other means the Tribal Council deems appropriate. Appropriate notice of the hearing shall be provided.

Section 1-403. The Tribal Land Use Board shall oversee and review the preparation of a Plan. After Tribal Land Use Board review is complete, the proposed Plan or amendment shall be presented to the Tribal Council. The Tribal Land Use Board shall make a recommendation to the Tribal Council concerning the proposed Plan.

Section 1-404. The Tribal Council shall adopt the Plan by resolution, which resolution shall be adopted in conformance with the requirements of the Constitution and Bylaws of the Colorado River Indian Tribes. The Tribal Council may approve, modify or disapprove the recommendation of the Tribal Land Use Board, if any.

PREPARATION, ADOPTION AND AMENDMENT OF A COMPREHENSIVE GENERAL PLAN AND AREA PLAN

[NOTE: The Tribal Council adopted the Western Boundary Area General Land Use Plan on September 9, 1988 by Resolution No. 185-88.]

Section 1-405.

(a) A copy of the adopted Plan or amendment shall be sent to all public entities directly affected by the Plan and any other public entities that submitted comments on the proposed general plan or amendment.

(b) Copies of the documents adopting or amending a Plan shall be made available to the general public within a reasonable period of time after final action by the Tribal Council. A reasonable fee to cover the costs of duplication may be assessed by the Tribe.

Section 1-406.

(a) If it deems it to be in the Tribal interest, the Tribal Council may amend all or part of an adopted Plan. An amendment to a Plan shall be initiated in the same manner as that for the adoption of a Plan and comply with sections 1-402 through 1-405. If a request is made by persons other than a Tribal governmental entity for amendment of the Comprehensive Plan or an Area Plan, the requesting person shall deposit with the Tribal Land Use Board a fee to cover the estimated cost of preparing the amendment to the Plan. The Tribal Land Use Board shall establish a schedule of charges to be used in calculating such a fee.

(b) Except as otherwise provided in subsection (c), no mandatory element of a Plan shall be amended more frequently than three times during any calendar year. Subject to that limitation, an amendment may be made at any time, as determined by the Tribal Council.

(c) The limitation on the frequency of amendments to a Plan contained in subdivision (b) does not apply to amendments to a plan requested and necessary for a Planned Unit Development.

CHAPTER 5. PLAN ADMINISTRATION

Section 1-501. After the Tribal Council has adopted all or part of a Plan, the Tribal Land Use Board shall do both of the following:

(a) Investigate and make recommendations to the Tribal Council regarding reasonable practical means for implementing the Plan or an element of the Plan, so that it will serve as an effective guide for orderly growth and development, preservation and conservation of land and cultural and natural resources, and the efficient expenditure of Tribal funds relating to subjects addressed in the Plan;

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(b) Provide a periodic report to the Tribal Council on the status of the Comprehensive General Plan and Area Plans and progress in their implementation.

CHAPTER 6. COMPLIANCE WITH PLAN

Section 1-601. The Comprehensive General Plan is the fundamental mechanism for guiding land use planning and development on the Reservation. All actions affecting land use within the Reservation, including zoning and development action, and any action pursuant to leases of Tribal lands, shall be consistent with the Comprehensive General Plan.

Section 1-602. To the fullest extent permitted by applicable law, the Tribe seeks to ensure that actions affecting land use outside Reservation boundaries but inside a Tribal planning area shall be consistent with the Comprehensive General Plan.

Section 1-603. An action affecting land use within the Reservation which action is not entirely consistent with the Comprehensive General Plan may be permissible if:

(a) The inconsistency between the action and the plan is of a very minor nature; and

(b) The action is not inconsistent with the land use designations in the plan; and

(c) The action is not inconsistent with applicable Tribal ordinances; and

(d) The inconsistency is reviewed and approved by the Tribal Land Use Board.

CHAPTER 7. MISCELLANEOUS

Section 1-701. The Comprehensive General Plan, any Area Plan or other land use action of the Tribal Council shall be construed in a manner such that all beneficial uses of the property are not prohibited. If any property owner or lessee believes that all beneficial uses of the property have been prohibited, the appropriate remedy is for the property owner or lessee to seek a plan amendment consistent with the terms of this article.

Section 1-702. Every provision of this Article I is intended to be severable.

Section 1-703. Nothing contained in this Article 1 shall be deemed to constitute a waiver or renunciation of the sovereign immunity of the Tribe for any purpose.

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ARTICLE 2

DEVELOPMENT REVIEW

[NOTE: Except as otherwise noted, the provisions of Article 2 of the Land Code were enacted on April 12, 1985 by Ordinance No. 85-2. The provisions of Article 2 were renumbered on January 11, 1992 by Section 1 of Ordinance No. 92-2.]

Section 2-101. Definitions.

In this Article, unless the context otherwise requires:

(1) "Applicant" means a person seeking approval from the Colorado River Indian Tribes for a development project on land within the Colorado River Indian Reservation.

(2) "Archeological and cultural resources" means sites, areas, structures, flora, fauna or artifacts of either archeological significance or cultural or religious significance to members of the Tribes or to other American Indians. Such resources include, but are not limited to, intaglios, trails, sleeping circles, petroglyphs, pictographs, cairns, and other sites and artifacts.

(3) "Colorado River Indian Reservation" means all territory within the original confines of the Colorado River Indian Reservation boundaries as established and approved by the act of March 3, 1865, and lands added thereto by Executive Order of November 22, 1873; Executive Order of November 16, 1874; Executive Order of May 15, 1876; and Executive Order of November 22, 1915, in Arizona and California and to which title has been given by Act of the Congress of the United States, Public Law 88-302, of April 30, 1964, and any other lands in which the Colorado River Indian Tribes acquire ownership, management, use or occupancy by virtue of purchase, gift, Act of Congress or otherwise.

(4) "Development project" or "development" means one or more buildings, dwellings, or other structures or alterations of land or water which are proposed to be constructed or developed. "Development project or development" shall not include normal agricultural operations which do not involve the construction or addition of permanent improvements to land.

(5) "Person" means a natural individual, corporation, partnership, association, company, agency (public, private or governmental), institution or other identifiable entity. "Person" shall also include the Colorado River Indian Tribes and its enterprises.

(6) "Development Site" means the property on which the development is proposed to be located.

(7) "Tribes" means the Colorado River Indian Tribes.

Section 2-102. Application of Ordinance.

This ordinance shall apply to all persons seeking from the Colorado River Indian Tribes approval of leases, subleases, or assignment of leases of land owned by the Colorado River Indian Tribes and held in trust for the Tribes by the United States, approval of development projects, or issuance of building permits. The approval required by this ordinance is separate from and in addition to any other permits or approvals which may be required from the Tribes, including but not limited to approval of leases, subleases, assignment of leases and issuance of individual building permits. Where approval of a lease, sublease, or assignment of lease is sought, compliance with this ordinance is required if a development project is contemplated at that time.

Section 2-103. Development Approval.

Any person seeking to construct a development project on any lands within the Colorado River Indian Reservation must first, before commencing any construction activity, grading, or other alteration of the land, obtain approval from the Tribal Council, unless expressly exempted by the Tribal Council from obtaining such approval.

Section 2-104. Development Application.

In order to obtain such development approval, an applicant shall at his or her own expense, prepare and submit to the Tribes the following materials relating to the proposed development project:

- (1) survey showing the lands involved in the proposed development;
- (2) plot plan showing the location of the proposed development and any improvements such as streets, utilities, sewer system, or building pads, on or adjacent to the site;
- (3) plans and specifications prepared by a licensed engineer or equivalent for sewage disposal for the development;
- (4) plans and specifications prepared by a licensed engineer or equivalent for a water system for the development;
- (5) plans and specifications prepared by a licensed engineer or equivalent for flood control, including both river flooding and storm run-off, where applicable.
- (6) plans and specifications showing the circulation system for the development, i.e., roads on and near the site providing access to the development, and anticipated use of those roads due to the development;
- (7) plans and specifications for fire protection for the development;

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(8) review and analysis of potential impacts on the archeological and cultural resources on the site and throughout the surrounding area where any resources could reasonably be anticipated to be adversely affected either directly or indirectly by the development. The review shall be prepared by a qualified person who has been approved by the director of the Colorado River Indian Tribes Museum. This review shall include an identification of such resources and potential impacts to them caused either directly or indirectly by the development, and an analysis of possible measures to mitigate or avoid such impacts. To the maximum extent feasible, the development proposal shall incorporate such measures to mitigate or avoid potential impacts to the resources;

(9) review and analysis of potential environmental impacts of the proposed development other than those described in section (7) above. The review shall include an identification of environmental resources on the site and in the surrounding area where resources could reasonably be anticipated to be adversely affected either directly or indirectly by the development. The review shall also include an identification of potential impacts to such resources caused by the development and an analysis of possible measures to mitigate or avoid such impacts. To the maximum extent feasible, the development proposal shall incorporate such measures to mitigate or avoid potential impacts to the resources.

Section 2-105. Waiver.

The requirement for submission of each of the materials listed above in section 2-103 may be waived or altered by the Resource Development Committee upon a finding of good cause. The archeological and cultural resource review shall be waived only upon the finding by the director of the Colorado River Indian Tribes Museum that there are no potential adverse impacts on such resources from the development.

Section 2-106. Completion of Application.

No application is deemed complete until each of the materials required by section 2-104 has been submitted or the requirement has been waived by the Resources Development Committee as provided by section 2-105. If, upon review of an application which includes all of the required materials, the Tribal Council determines that any of the materials submitted does not comply with section 2-104, it shall deny the application as incomplete. The applicant may resubmit the application at any time.

Section 2-107. Conceptual Review.

Any person who may wish to propose a development project on the Reservation may submit a request to the Tribes for conceptual review of the proposed project. The Tribal Council may in its sole discretion, review the proposed development project and approve or disapprove the project in concept. The Tribes may request that the person submitting the conceptual proposal provide, at his or her own expense, information to enable the Tribes

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to review the proposal. Approval of a project in concept shall not in any way bind or restrict the exercise of discretion by the Tribes in any subsequent application for a development project nor be deemed to be final approval of any lease, sublease, assignment of lease or development project.

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ARTICLE 3
RELIGIOUS USE PERMIT

[NOTE: Except as otherwise noted, the provisions of Article 3 of the Land Code were enacted on November 10, 1983 by Ordinance No. 83-9.]

CHAPTER 1. GENERAL PROVISIONS

Section 3-101. Definitions.

"Religious structure" means any church, chapel, mission, edifice, building or construction, whether permanent or temporary, which is designed or regularly used for the practice of religion.

CHAPTER 2. RELIGIOUS STRUCTURES ON TRIBAL LANDS

Section 3-201. Permit Required.

(A) No person may place, erect or maintain any religious structure upon lands owned by the Colorado River Indian Tribes without first having obtained a valid religious use permit therefore in accordance with this Article.

(B) As used herein, the term "lands owned by the Colorado River Indian Tribes" shall include, but not be limited to, all lands assigned, permitted or leased by the Tribes to any person or persons.

[As Amended June 9, 1984, Ord. No. 84-7.]

Section 3-202. Use of Assigned Lands.

Knowingly using or permitting the use of a standard or exchange assignment for the placement or erection of a religious structure in violation of the terms of this Article shall be grounds for revocation of any portion of assignment so used.

Section 3-203. Petition For Permit.

A religious use permit may be issued in the discretion of the Tribal Council upon receipt of a petition signed by at least twenty-five (25) members of the Colorado River Indian Tribes over the age of 18.

Section 3-204. Limitations; Conditions.

(A) No religious use permit shall be issued for an area in excess of that which will reasonably accommodate the religious structure proposed along with necessary appurtenances and any approved community facilities.

(B) A religious use permit shall be subject to such fees and conditions and shall be of such duration as the Tribal Council shall prescribe.

(C) A religious use permit shall not be assignable or otherwise transferable. Any attempted assignment or transfer shall be null and void and of no effect whatsoever.

CHAPTER 3. REVOCATION OF USE PERMIT

Section 3-301. Revocation.

A religious use permit may be revoked by the Tribal Council whenever, upon petition and after a hearing, it shall determine that such revocation is in the best interests of the Colorado River Indian Tribes.

Section 3-302. Petition; Investigation.

(A) Revocation proceedings may be initiated by the submission to the Tribal Council of a petition signed by at least twenty-five (25) members of the Colorado River Indian Tribes over the age of 18. Such petition shall contain a request that the religious use permit be revoked and the reasons therefor, including complaints, if any, regarding activities occurring on the lands subject to the existing permit and the effect of such activities on the persons and property of the Colorado River Indian Reservation community.

(B) Upon receipt of such a petition, the Tribal Council shall investigate the complaints set forth. If the Council determines that the complaints are sufficient to warrant a hearing, it shall schedule a revocation hearing.

Section 3-303. Notice of Hearing.

(A) Notice of a revocation hearing shall be given to the permittee either personally or by certified mail, return receipt requested, at least twenty (20) days prior to the hearing date set. Notice shall be deemed effective upon receipt, or five (5) days after deposit in the United States mail, whichever shall first occur.

(B) Notice of a revocation hearing shall be posted for at least twenty (20) days prior to the hearing date set in a conspicuous place at the religious structure affected.

Section 3-304. Hearing.

(A) Any person with an interest in the subject of the revocation hearing may present evidence and argument at the hearing. Such persons may appear represented by counsel at their own expense.

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(B) Based upon its findings during the revocation hearing, the Tribal Council may revoke a religious use permit if it determines that such revocation is in the best interest of the Colorado River Indian Tribes.

Section 3-305. Notice of Revocation.

Notice of revocation shall be in writing and shall be served upon the permittee either personally or by certified mail, return receipt requested. Service of notice by mail shall be deemed effective five (5) days after deposit in the United States mail.

Section 3-306. Ninety Day Removal Period.

(A) Upon receipt of notice of revocation, a permittee shall have a period not in excess of ninety (90) days to vacate and remove personal property from the permitted premises.

(B) Any personal property remaining on the premises at the expiration of the ninety (90) day removal period shall be deemed the property of the Colorado River Indian Tribes.

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ARTICLE 4

OFF-ROAD VEHICLES

[NOTE: Except as otherwise noted, the provisions of Article 4 of the Land Code were enacted on July 18, 1986 by Ordinance No. 86-2.]

CHAPTER 1. DEFINITIONS.

Section 4-101. Definitions.

As used in this Article, unless context otherwise requires:

(A) "Affected area" means that portion of the Colorado River Indian Reservation on the California side of the Colorado River from the northern end of the Palo Verde Valley on the south (Section 7, Township 5S, Range 24E, San Bernardino Base and Meridian, California) and the Agnes Wilson Bridge (Section 34, Township 1S, Range 24E, San Bernardino Base and Meridian, California), on the north; excluding the following described property: the area east of Alligator Slough to the Colorado River located in portions of Section 3, 4, 5, 8, 9 and 10, Township 2S, Range 24E, San Bernardino Base and Meridian, California. A map depicting the affected area is attached hereto as Exhibit A.

(B) "Designated use area" means an area on the Colorado River Indian Reservation expressly designated by the Colorado River Indian Tribes as an area for off-road vehicle ("ORV") use, or an area designated by the United States Bureau of Land Management as an area for ORV use.

(C) "Highway 95" means the paved roadbed of U.S. Highway 95.

(D) "Lessee" means a person who leases, subleases or is otherwise authorized to occupy property in the affected area from the Colorado River Indian Tribes.

(E) "Off-road vehicle" means any motorcycle, dune buggy, all terrain vehicle, 4-wheel drive vehicle, or other vehicle which is designed or maintained for use as an off-road vehicle, whether or not actually used for off-road purposes. "Off-road vehicle" does not include a vehicle used exclusively for farming purposes.

(F) "Tribal Council" means the Tribal Council of the Colorado River Indian Tribes.

(G) "Tribes" means Colorado River Indian Tribes.

CHAPTER 2. GENERAL PROVISIONS.

Section 4-201. Findings of the Tribal Council.

The Tribal Council hereby finds and declares:

(A) Resources of great cultural and spiritual significance to the Tribes, including geoglyphs, artifacts, rock formations, and other items on the Reservation and on lands in the immediate vicinity of Reservation boundaries, have suffered and continue to suffer damage and destruction as a result of ORV use on those lands.

(B) Most of the ORV use which has damaged these resources has occurred as a result of residential developments along the Colorado River near the resources. The greatest damage has occurred near residential developments and when new developments have been established, new damage has occurred.

(C) The lands where the greatest damage and destruction is occurring is on the mesas along the California side of the Colorado River, from the Agnes Wilson bridge on the north to the northern end of the Palo Verde Valley on the south. Throughout this area is a very dense concentration of significant cultural and religious sites, most of which are vulnerable to damage as a result of ORV use.

(D) Most of these sites are on the federal land managed by the United States Department of the Interior, Bureau of Land Management, immediately to the west of the Reservation on the California side of the Colorado River. Much of this federal land is unfenced and open to public access. Although the BLM has identified the Big Marias Archeological District, which encompasses this area, as a potential Area of Critical Environmental Concern, to date the BLM has not taken significant affirmative steps to protect the resources. Until the federal government establishes measures to protect the spiritual and cultural resources on federal lands, those resources are extremely vulnerable to damage, particularly from ORVs.

(E) ORV usage in this area also has caused and threatens to continue to cause damage to soil resources and fish and wildlife, and to lead to deterioration of air quality.

(F) The Tribes intend to protect these vulnerable resources both by controlling the location, type, and amount of residential development in the affected area (see Resolution No. R-156-86) and by controlling use of ORVs in the area to the greatest extent possible unless and until adequate protective measures are in place. To the extent that ORV use in the area cannot feasibly be eliminated entirely, it should be restricted to designated use areas.

Section 4-202. Construction.

The provisions of this Article shall be liberally construed to effectuate the intent of the Tribal Council, so as to be within the Constitutional powers of the Tribes and the Tribal Council and so as not to conflict with applicable laws of the United States, whether statutory or otherwise.

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Section 4-203. Severability.

If any provision of this Article or its application to any person or class of persons or to any circumstances, is held invalid for any reason whatsoever, the remainder of its provisions shall not be affected and shall remain in full force and effect.

CHAPTER 3. PROHIBITIONS AND LIMITATIONS.

Section 4-301. Prohibition of Operation of Off-Road Vehicles.

Operation of ORVs in the affected area is prohibited, except on Highway 95, in designated use areas, or as provided in sections 4-303 and 4-304.

Section 4-302. Prohibition of Maintenance of Off-Road Vehicles.

Use, possession, storage, maintenance, or parking of ORVs in the affected area is prohibited, except as provided in sections 4-301, 4-303, and 4-304.

Section 4-303. Limitation of Operation of 4-Wheel Drive Vehicles.

Operation of 4-wheel drive vehicles licensed for highway use in the affected area is prohibited, except on Highway 95, in any designated use areas, or on established roadways from the place of storage of the 4-wheel drive vehicle to Highway 95.

Section 4-304. Exception for Lessees.

Persons who:

(1) are lessees or who are lawfully residing as tenants of the Tribes in the affected area on the effective date of this ordinance and who personally possess, store, maintain, or park one or more ORVs on such premises as of such effective date, or

(2) become lessees or lawful tenants of the Tribes pursuant to the Tribes' expansion of existing residential developments in the affected area and who personally possess, store, maintain, or park one or more ORV(s) on such premises; shall be permitted to possess, store, maintain, and park such ORV(s) until the end of their lease or use permit and any renewal thereof. In addition to those operations permitted in section 4-301, such persons may operate such ORV(s) on Highway 95 and on established roadways from the place of storage of the ORV to Highway 95. Except as provided in this section, such persons shall be bound by all provisions of this ordinance.

CHAPTER 4. NOTICES AND REMEDIES.

Section 4-401. Notices.

Notices that the affected area is closed to operation of all ORVs, except as provided in section 4-301, shall be posted on Highway 95 at the boundaries of the affected area and at any other location deemed appropriate by the Tribal Council.

Section 4-402. Civil Penalties.

Any person violating a provision of this Article shall forfeit to the Colorado River Indian Tribes, in a civil action, a sum of not more than Five Hundred Dollars (\$500.00) for each violation. Each day during which any such violation shall continue shall constitute a separate civil violation.

Section 4-403. Seizure and Forfeiture of Vehicles.

(A) Any law enforcement official of the Tribes may seize any vehicle possessed and/or used in violation of any provision of this Article. Any person from whom such vehicle is seized shall be charged with a violation of this Article. Any such seized vehicle shall remain in the possession of the Tribal Police Department, pending final disposition of any resulting court proceedings.

(B) In addition to any other penalty provided by this Article, upon application by the Tribes the court shall order the forfeiture to the Tribes of any vehicle which the court determines has been possessed and/or used in violation of this Article.

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PLANNED UNIT DEVELOPMENTS

[NOTE: Except as otherwise noted, the provisions of Article 5 of the Land Code were enacted on September 9, 1988 by Ordinance No. 88-4.]

CHAPTER 1. DEFINITIONS

Section 5-101.1 Area Plan. The term "Area Plan" shall mean an area plan as described in Article 1 of the Colorado River Indian Tribes Land Code.

Section 5-101.2 Comprehensive General Plan. The term "Comprehensive General Plan" shall mean that comprehensive general plan described in Article 1 of the Colorado River Indian Tribes Land Code.

Section 5-101.3 Plan. The term "Plan" when used without modifiers shall mean the Comprehensive General Plan and/or the Area Plan that governs land use in the area for which a Planned Unit Development is proposed.

Section 5-101.4 Planned Unit Development. The term "Planned Unit Development" shall mean a development in which prevailing density limitations apply to the project as a whole rather than to individual parcels. Densities are calculated on a project-wide basis, permitting the clustering of homes and the provision of common open space.

Section 5-101.5 Tribal Land Use Board. The term "Tribal Land Use Board" shall refer to that board, committee or other entity designated by the Tribal Council to carry out the responsibilities of this Article. Absent such a designation, the Resources Development Committee shall perform the functions of the Tribal Land Use Board.

CHAPTER 2. GENERAL REQUIREMENTS

Section 5-201.1 Any implementation of the Comprehensive General Plan or an Area Plan which establishes a Planned Unit Development may be enacted only after a site plan for the development shall have been reviewed and approved by the Tribal Council. Prior to review and action by the Tribal Council, the Tribal Land Use Board shall review said site plan and report to the Tribal Council as to the consistency of the proposed development with the intent and purposes of the land use plan for the affected area and as to the compliance of said site plan with this Article and with other applicable laws and regulations on the Colorado River Indian Reservation. Copies of the site plan approved by the Tribal Council shall be recorded in the office of the Tribal Planner and the Building Official prior to issuance of a building permit. No building permit shall be issued that is not in conformance with the site plan as approved.

Section 5-201.2 A Planned Unit Development shall be denied if the documents required to be submitted pursuant to this Article are not complete in all material respects, if the proposed development is not substantially consistent with the

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Plan, if the proposed development is not in compliance with any applicable law or regulation and no waiver has been obtained, or if the proposed development is likely to have significant adverse impacts on the public health or safety.

Section 5-201.3 Planned Unit Developments may be permitted only if the Tribal Council finds that the site plan assures the safety of traffic movement both within the area covered by the plan and the surrounding area, and ensures that the site will promote harmonious and beneficial relationships between the Planned Unit Development and adjacent and nearby areas.

CHAPTER 3. INCLUDED USES

Section 5-301. Uses: Residential, Recreational, and Commercial.

Planned Unit Developments may include the following uses:

a. Residential

Single-family dwellings
Multiple family dwellings

b. Recreation

Golf courses
Tennis courts and athletic fields
Conservation and open space areas
indoor recreation
Outdoor swimming pools
bicycle paths

Other types of recreation consistent with the residential character of the site.

c. Commercial

Commercial uses are allowed in a Planned Unit Development provided they are related to the residential character of the site.

CHAPTER 4. SUBMISSION PROCEDURE

Section 5-401.1 Pre-application.

Prior to submitting the site plan, the applicant shall submit to the Tribal Land Use Board preliminary sketches and descriptions of the proposed development, including any anticipated density changes or other material inconsistencies with the Plan. The applicant shall submit a copy of a plat marked to indicate the boundary of the land to be developed. When the pre-application materials are submitted, the Tribal Land Use Board shall distribute a copy of the pre-application materials to the director of the Colorado

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River Indian Tribes Museum, the Environmental Protection Office, the Building Official and other applicable Tribal departments and request initial input concerning the proposed development. No earlier than ten (10) days after receipt of pre-application materials and within thirty (30) days after receipt a meeting shall be scheduled for the applicant to explain the development concept to the Tribal Land Use Board. The Tribal Land Use Board shall then make a recommendation to the Tribal Council for approval or disapproval of the project to concept. The Tribal Council shall provide preliminary reaction and any preliminary suggestions or requests for revision of the proposal.

Section 5-401.2 Application and Fees.

After the pre-application conference and Tribal Council action, the application for a Planned Unit Development may be made to the Tribal Planner and shall be accompanied by a fee of two hundred fifty dollars (\$250). The fee of two hundred fifty dollars (\$250) partially defrays the Tribe's expense in processing the application. The cost of any engineering or other professional studies which the Tribal Land Use Board determines are reasonably necessary for Tribal review of the site plan shall be borne by the applicant.

Section 5-401.3 Copies.

The applicant shall file twenty-five (25) copies of the site plan for the proposed development with the Tribal Planner who shall distribute them to the members of the Tribal Council and Tribal Land Use Board, the Indian Health Service, the Bureau of Indian Affairs, the Building Official, the Fire Chief, the Tribal Attorney, Director of the Colorado River Indian Tribes Museum and any other officials or agencies, as appropriate.

Section 5-401.4 Tribal Land Use Board Review.

No more than sixty (60) days after a site plan has been submitted and found to be complete, the Tribal Land Use Board shall determine whether the proposed development complies with the provisions of this Article and other applicable regulations, and whether the development is consistent with the intent and purposes of the Plan and shall prepare a recommendation for the Tribal Council. In preparing a recommendation, the Tribal Land Use Board may consider, but is not limited to, the following factors:

- a. Economic, employment or other benefits of the development to the Tribe and Tribal members;
- b. The burden of use placed on the natural resources by the proposed development;
- c. Consistency with the policies and provisions of the Plan;
- d. Physical constraints established by soils or other natural factors on the site;

- e. Mitigation of on-site and/or off-site environmental impacts;
- f. Any constraints on density contained in the Plan; or
- g. The impact of the proposed development on existing development and land use.

Section 5-401.5 Public Hearing.

Upon receipt of the recommendation of the Tribal Land Use Board, the Tribal Council shall schedule a public hearing on the proposed Planned Unit Development which shall be conducted by the Tribal Land Use Board with the results to be reported to the Tribal Council. The Tribe may also accept written comments on the proposed Planned Unit Development.

Section 5-401.6 Tribal Council Action

Within thirty (30) days after the public hearing, unless the time is extended for good cause by the Tribal Council, on the basis of such hearing and recommendations from the Tribal Land Use Board, the Tribal Council shall take one of the following actions:

- a. Notify the applicant in writing that the plan complies with the provisions of this Article and therefore is tentatively approved. The applicant may then submit a final site plan for approval.
- b. Notify the applicant in writing that the plan complies substantially with this Article and is tentatively approved subject to stipulated conditions. The applicant may then submit a final site plan which demonstrates compliance with all stipulated conditions.
- c. Notify the applicant in writing that the plan does not comply with this Article and is therefore disapproved.

Section 5-401.7 Preliminary Approval.

Preliminary approval of a Planned Unit Development proposal shall be valid for one (1) year from the date of the letter granting such approval, during which time the applicant must submit his final site plan for approval before construction may begin. Failure to submit the final site plan which complies with all terms and conditions set forth by the Tribal Council within one (1) year nullifies the approval, and the applicant must resubmit a preliminary site plan, if the applicant still desires approval for such site. The one (1) year period may be extended by the Tribal Council for good cause.

Section 5-401.8 Final Site Plan.

After the applicant has submitted a final site plan the Tribal Land Use Board shall review the final site plan for conformance with the applicable regulations, for consistency with the intent and purposes of the Plan and with

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any terms and conditions set forth by the Tribal Council. The Tribal Land Use Board shall also determine whether the site plan varies substantially from the approved preliminary site plan. The Tribal Land Use Board shall report with its findings and recommendations to the Tribal Council within sixty (60) days of receipt of the final site plan.

Section 5-401.9 Bonding.

The applicant shall provide a performance bond or other security as specified in the applicant's lease. All requirements contained therein or in applicable regulations which relate to bonds or other guarantees or performance shall apply to a Planned Unit Development.

Section 5-401.10 Site Plan Changes.

If the applicant wishes to make any change in an approved site plan, a written request for amendment of said plan shall be submitted to the Tribal Planner. If, in the opinion of the Tribal Land Use Board, the requested change is minor, the Tribal Land Use Board may approve or deny such change. If, in the opinion of the Tribal Land Use Board or the Tribal Council, the requested change is substantial, the Tribal Council or the Tribal Land Use Board shall require submission of an amended site plan and final site plan as specified in this Article.

CHAPTER 5. SITE PLAN

Section 5-501.1 Contents.

A site plan for the proposed development shall be prepared by a registered professional engineer and shall include, in addition to other requirements of this Chapter 5, the following or indicate the reason for omission:

- a. Proposed name of the development.
- b. Location and legal descriptions.
- c. Names and address of applicant, owner(s), lessee(s) and designer(s) of the plan.
- d. Scale of the plan, 1" to 50', or other approved readable scale.
- e. Date, north arrow.
- f. Contours drawn at intervals of two (2) feet or less. Contours should be referenced to United States Geological Survey datum, extended to two hundred (200) feet beyond the lot lines where possible.
- g. Boundary line of the development indicated by a solid line, and the total acreage encompassed thereby.

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- h. Any physical limitation for development, including areas with existing cultural resources, high water table conditions, rock outcroppings, steep slopes, wetlands, floodways, washes and any other limiting factors of the site for developers.
- i. Physical features of the site, including scenic views, vegetation and hills.
- j. Flood hazards of the site, identifying the location of water courses and their extent, surface elevation, depths and flood plains, including dry washes.
- k. A complete landscape plan including size and type of all plantings, the location, height and materials of walls and fences, ground cover, finished grades, slopes, banks and ditches, ramps and steps, and the location and paving material of all pedestrian, bicycle and equestrian paths and trails.
- l. Pavement construction detail of all interior streets, roads and driveways in conformance with Bureau of Indian Affairs road standards.
- m. The size and type of proposed structures.
- n. Report on environmental impacts in conformance with section 401.2 of this article.
- o. A list of all licenses, permits and other approvals required by Tribal or federal law, the status of each and copies of those already obtained.
- p. Areas most suitable for conservation and recreation, those most suitable for single-family detached dwellings, those most suitable for other types of dwellings, and those suitable for any other types of land use proposed.
- q. Existing zone classifications, if applicable.
- r. Location, dimensions and names of all existing or prior streets, railroads, utility spaces, permanent buildings or structures, permanent easements, lease and reservation boundary lines, within two hundred feet (200') of the development.
- s. Existing sewers, water mains, culverts, other underground facilities within the tract indicating pipe sizes, grades and manholes.
- t. Proposed streets and names, easements, sidewalks, buildings, building uses, building setbacks, curblines and schematics of utilities.
- u. Proposed water delivery system, including fire hydrants, drainage system, solid waste disposal system, and sewage disposal system.
- v. Location of open space and the area of same.
- w. Location, arrangement and dimensions of parking facilities.

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- x. Location and general exterior dimensions of principal and accessory buildings and signs.
- y. A complete description of the development schedule to be followed to complete development.
- z. Soil Conservation Service soil classifications.
- aa. A complete plan for all recreational or other public-use facilities within the Planned Unit Development, whether for use of Planned Unit Development residents only or by the general public as well. Such plan should show the location and type of all furniture, play equipment, shelters, buildings or other facilities, designated firepits, fireplaces and outdoor grills, fish cleaning stations, stages, theaters or other structures and facilities.

The overall design of the site plan shall be prepared by or under the supervision of a licensed architect, landscape architect or other similarly qualified person. Landscape inventory and landscape design portions of the site plan shall be prepared by or under the close supervision of a licensed landscape architect or other similarly qualified person.

Section 5-501.2 Environmental Report.

An environmental report shall be prepared and included in the site plan for each Planned Unit Development. The environmental report, supported by expert reports where necessary, shall address the following concerns.

a. Water sources.

The source and quality of water to be provided to the site and the treatment, if any, provided to the water.

The expected water requirements (acre feet) for the site.

The uses to which water will be put.

b. Wastewater treatment and disposal.

Sewage treatment and disposal system (description and location of the site of system), including plans for use of effluent.

Expected content of the sewage effluents (human waste, pesticides, detergents, oils, heavy metals and other chemicals).

Expected daily volumes of sewage.

Affected sewage treatment plant's present capacity, authorized capacity and that portion of the capacity to be used by the development.

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c. Solid waste.

Estimated quantity of solid waste to be produced on the site during construction and during subsequent day-to-day operations.

Method of disposal of solid waste during and after construction.

Plans for recycling of solid waste during and after construction.

d. Air quality.

Expected impacts on air quality due to activities relating to the development during and after construction.

Plans for control of emissions affecting air quality.

e. Direct and indirect impacts of the proposed action applied for on the site and the surrounding area on the following:

Existing plant species.

Existing animal species.

Existing wildfowl and other birds.

Drainage and runoff.

Ground water quality.

Situation of surface waters.

Surface water quality.

Sites of historic, cultural, or archaeological significance. This portion of the report shall be prepared in conformance with the procedures described in § 3-104(8) of Article 2 of the Land Code.

f. Critical Impact Areas.

The report shall address in detail the potential impacts of the development on critical impact areas. Critical impact areas include, but are not limited to, stream corridors, washes, streams, wetlands, estuaries, slopes greater than 15%, highly acid or highly erodible soils, areas of high water table, mature stands of native vegetation, aquifer recharge and discharge area, and significant cultural or religious sites. For each critical impact area the report shall include the following:

1. A statement of impacts upon the critical impact area, including adverse impacts which cannot be avoided.

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2. Protective measures, procedures and schedules to minimize damage to critical impact areas during and after construction. The report should make clear which of these measures has been incorporated in the development.
 3. A list of all licenses, permits and other approvals required by Tribal or federal law and the status of each.
- g. Alternatives to proposed development, including those alternatives which would have less adverse impacts on the natural and cultural resources of the area.

Section 5-501.3 Additional Site Plan Requirements.

- a. The applicant shall submit a statement indicating that the proposed development is in conformance with the applicable Plan. If any portions of the development will be inconsistent with the Plan, the applicant shall indicate such inconsistency in its statement and shall state the proposed actions to be taken to either conform to the Plan or amend the Plan.
- b. The applicant shall submit a statement explaining how the public interest would be served by the proposed development. Such statement shall be accompanied by appropriate detailed economic, social and physical studies of the area requested to be designated a Planned Unit Development and the area directly affected by the proposed development.
- c. The applicant shall submit a statement requesting any proposed increase in density over that allowed for the site. Such statement shall be accompanied by appropriate detailed documentation indicating those segments of the site plan which indicate how the impacts of such increased density on the development site, surrounding lands, and the Colorado River will be mitigated.
- d. The applicant shall submit copies of any covenants, grants or easements existing of proposed, including easements for public utilities, and shall supply a summary explaining the substance of such covenants, grants or easements.
- e. The applicant shall submit a statement evidencing that the development as proposed complies with the Colorado River Floodway Protection Act of 1986 and/or that the Secretary of the Interior has determined that the development is consistent with the operation and maintenance of the floodway. A determination of compliance or consistency by the Secretary shall not obligate or require the Tribe to approve the proposed development.
- f. The applicant shall submit such other information as may be requested by the Tribal Council or Tribal Land Use Board in evaluating the proposed development.

CHAPTER 6. MISCELLANEOUS

Section 1-601. Every provision of this Article 5 is intended to be severable.

Section 1-602. Nothing contained in this Article 5 shall be deemed to constitute a waiver or renunciation of the sovereign immunity of the Tribe for any purpose.

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SIGNS

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ARTICLE 6

SIGNS

[NOTE: Except as otherwise noted, the provisions of Article 6 of the Land Code were enacted on October 27, 1989 by Ordinance No. 89-1.]

CHAPTER 1. GENERAL PROVISIONS

Section 6-101. Purpose.

Signs are herein regulated to promote traffic safety, safeguard public health and comfort, facilitate police and fire protection, prevent adverse community appearances and the overcrowding of land, and protect the character of the area in which signs are located. The sign regulations are designed to permit maximum legibility and effectiveness of signs and to prevent over concentration, improper placement, and excessive height, bulk and area. In general, it is intended that signs of a general commercial nature be prohibited in areas where commercial activities are prohibited and that signs in less restrictive business and industrial areas be regulated to the extent necessary to protect the character of the area and to conserve property values. Further, that because the aesthetic value of the total environment does affect economic values of the community, and the unrestricted proliferation of signs can and does detract from the economic value of the community, it is the intent of this Article to provide limiting controls, where necessary, to preserve community scenic, economic and aesthetic values.

Section 6-102. Definitions.

Certain words in this Article are defined for the purpose of this Article, as follows, unless the contrary clearly appears from the context:

(1) Area of copy. The square or rectangular area which fully encloses the extreme limits of the message, copy, announcement or decoration of a sign.

(2) Awning sign. Any sign constructed of fabric-like nonrigid material which is a part of a fabric or flexible plastic awning. Permanent awnings are herein defined as marquees.

(3) Banner. Any sign, except an awning sign, made of flexible, fabric-like material, for temporary use.

(4) Building. A "building" is an edifice, structure or construction of any kind which is located or proposed to be located on a lot.

(5) Building Code(s). The term building codes shall be those codes adopted by the Tribal Council of the Tribe and codified in the Health and Safety Code of the Colorado River Indian Tribes.

(6) Changeable copy sign (manual). Any sign on which copy is changed manually and copy is shown on the same sign face such as reader boards with changeable letters or changeable pictorial panels, but not limited to the above. Poster panels and painted boards are not changeable copy sign.

(7) Construction sign. Any temporary sign erected during construction which may indicate the project name and the names of architects, engineers, landscape architects, contractors, subcontractors, developers, rental agencies, financial institutions, or other principals involved in the sponsorship, design, and construction of a structure or project.

(8) Copy (permanent and temporary). The wording or pictorial graphics on a sign surface either in permanent or removable form.

(9) Cut-outs. Part of the copy of an outdoor advertising sign which extends beyond the edge or border of the sign. Sometimes called a "top-out" or "extension".

(10) Double-faced outdoor advertising signs. Outdoor advertising sign structures placed back to back with a distance between the backs of the signs of not greater than three feet (3').

(11) Erect. To assemble, build, construct, attach, hang, install, place, raise, suspend, affix, paint, or in any way bring into being or establish.

(12) Face of sign (sign face). The entire surface area of a sign upon, against or through which copy is placed.

(13) Flashing sign. Any sign which contains an intermittent, blinking, scintillating or flashing light source, or which includes the illusion of intermittent or flashing light, or an externally mounted intermittent light source.

(14) Front yard. A "front yard" is a clear unoccupied space on the same lot with a building, extending across the entire width of the lot and situated between the front line of the building and the front line of the lot.

(15) Ground sign. Any sign erected on a supporting structure, mast, post, or pole and not attached, supported or suspended to or from any building or structure. Sometimes called a "detached", "free-standing" or "pole" sign.

(16) Height of sign. The "height of a sign" is the vertical distance measured from the mean curb level to the level of the highest point of the sign and, in the case of a sign not adjoining a street or highway, the "height of a sign" is the vertical distance of the average elevation of the ground immediately adjoining the sign to the level of the highest point of the sign.

(17) Identification sign. Any on-premise sign located on a nonvacant premise which carries only the name, address, or both, of a building, business,

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development, establishment, firm or individual located on the premise, and no other message, copy, announcement or decoration.

(18) Information sign. Any on-premise sign containing no other message, copy, announcement, or decoration other than instruction or direction to the public. Such signs include but are not limited to signs identifying the following: rest rooms, public telephones, walkways, entrance and exit drives, freight entrances and traffic direction.

(19) Internal illumination. A light source concealed or contained within the sign itself, such as a neon tube, which becomes visible in darkness by shining through a translucent surface.

(20) Major access corridors. All U.S. and state highways, Mohave Road and Agnes Wilson Road.

(21) Mansard-type roof. A roof having the appearance of being flat with at least two (2) sloping sides not in excess of forty-five (45) degrees from the vertical.

(22) Marquee. Any hood or awning of permanent construction without pillars or posts which is supported from the wall of a building and extends beyond the building, building line or property line.

(23) Marquee sign. A sign erected, stenciled, engraved on, attached to, or suspended from a marquee or canopy.

(24) Mechanical movement. Refers to animation, revolution, rotation or any other movement of any or all parts of a sign.

(25) Multiple-sided sign. Any sign having more than two (2) geometric surfaces upon which copy is placed.

(26) Neon tube illumination. A light source supplied to a sign by a luminescent gas which is bent to form letters, symbols or other shapes, or contained within an illuminated sign.

(27) Nonconforming sign. Any sign which is lawfully erected and maintained prior to such time as it came within the purview of this Article and any amendments thereto, but fails to conform to all applicable regulations and restrictions of this Article.

(28) Off-premise sign. Any sign or structure, pictorial or otherwise, regardless of size or shape which directs attention to a business, commodity, profession, service or entertainment conducted, sold, offered, manufactured or provided at a location other than the premises where the sign is located or to which it is affixed. Sometime called non-point-of-sale sign.

(29) On-premise sign. Any sign or structure, pictorial or otherwise, regardless of size or shape which directs attention to a business, commodity,

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profession, service or entertainment conducted, sold, offered, manufactured or provided at a location on the premises where the sign is located or to which it is affixed.

(30) Outdoor advertising sign. Any off-premise, off-site, poster panel, billboard or non-point-of-sale sign.

(31) Parapet wall. That portion of any building wall that rises above the level of the roof line.

(32) Portable sign. Any sign which rests upon the ground, a structure, frame, building, or other surface. Such signs include but are not limited to the following: trailer signs, sandwich board signs, sidewalk or curb signs.

(33) Poster. Any sign made of a rigid, semi-rigid or nondurable material such as paper or cardboard, other than billboard copy.

(34) Product sign. Any sign attached to outdoor vending machines, stands, gasoline pumps, and display rack which directs attention to products dispensed therefrom.

(35) Projecting sign. Any sign which is erected on or attached to a building, wall or structure and extends beyond the building wall more than twelve (12) inches.

(36) Projection. The distance by which a sign extends beyond the building or structure wall.

(37) Real estate sign. Any on-premise sign pertaining to the sale, rental, development or lease of a lot, tract of land, structures or a portion thereof where the sign is located.

(38) Roof line. The juncture of the roof and the perimeter wall of the structure.

(39) Roof sign. Any sign, including outdoor advertising, attached to and extending from a roof of a structure or building, but shall not include emblems of religious orders.

(40) Signable area. That area of the facade of a building free of windows or doors to which a sign may be erected.

(41) Sign. Any identification, description, animation, illustration or device, illuminated or nonilluminated, which is visible from any right-of-way and directs attention to any realty, product, service, place, activity, person, institution, performance, commodity, firm, business or solicitation, including any permanently installed or situated merchandise or any emblem, painting, banner, poster, bulletin board, pennant, placard or temporary sign designed to identify or convey information, with the exception of Tribal, state or national

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flags. Unless otherwise indicated herein, the term "sign" shall include any identification or advertising device, including "billboards" which are permanent in nature.

(42) Temporary sign. A sign which requires a permit and is permitted for a period of no longer than thirty (30) days.

(43) Tribe or Tribal. The words "Tribe" or "Tribal" shall refer to the Colorado River Indian Tribes.

(44) V-type sign. An outdoor advertising sign structure constructed in the form a "V" with an angle no greater than forty-five (45) degrees and at no point separated by a distance greater than five (5) feet.

(45) Wall sign. Any sign, other than a projecting sign, which is erected upon, against or through any wall or facia of a building or a structure not projecting more than twelve (12) inches from a wall; or a window sign when its wording exceeds six (6) inches in height. The following are not wall signs: Wall identification signs and commemorative plaques not more than four (4) square feet in area, memorial cornerstones or tablets providing information on building erection or commemorating a person or event.

(46) Window sign. Any sign painted, stenciled or affixed on a window, which is visible from a right-of-way.

(47) Windblown sign. Any banner, flag, pennant, spinner, streamer, moored blimp or gas balloon.

CHAPTER 2. ON-PREMISE SIGNAGE

Section 6-201. Purpose.

On-premise advertising signs are herein regulated in the interest of promoting traffic safety, safeguarding public health and preventing adverse community appearance, and protecting the character of the area in which they are located. The regulations are designed to permit maximum legibility and effectiveness of signs and to prevent their over concentration, improper placement, and excessive height, bulk and area. In general, it is intended that signs of a general commercial nature be prohibited in areas where commercial activities are prohibited and that signs in less restrictive business and industrial areas be regulated to the extent necessary to protect the character of the area and to conserve property values.

Section 6-202. Design Regulations.

All signs provided for in this Article shall be consistent with all definitions and shall comply with all standards and regulations of this Article.

a. Table of basic design elements. Except for ordinary maintenance or repair, no ground sign, projecting sign, wall sign, or part thereof may be erected, altered, constructed, changed, converted, enlarged or moved unless in conformity with the following table:

TABLE OF BASIC DESIGN ELEMENTS
Type of Sign

<u>Conditions Facing Sign</u>	<u>Wall/Facia</u>		<u>Ground</u>		<u>Projecting</u>	
	Area (Max. Sq. Ft.)	Height (Max. Feet)	Area (Max. Sq. Ft.)	Height (Max. Feet)	Area (Max. Sq. Ft.)	Height (Max. Feet)
Traffic Lanes						
2 or 3	*	**	75	30	25	+
4 or more	*	**	150	30	40	+

* Two (2) square feet per lineal foot of each building wall facing a public street or facing a private access way if a building has no frontage on a public street.

** See § 6-203(j)(2)

+ See § 6-203(f)(1) - (5)

b. Sign area computation.

1. The sign area of a wall sign which consists of individual letters that are erected directly onto a wall exclusive of any sign surface, is measured by finding the area of the minimum imaginary rectangle or square of vertical and horizontal lines fully enclosing all sign words, copy or message.
2. The sign area of signs with three (3) or more sides (multiple-sided signs) containing copy, message, decoration or announcement visible from a street or highway is measured as the sum of the areas of any two (2) adjacent sides.
3. The sign area of any other sign is measured by finding the area of the minimum imaginary rectangle or square of vertical and horizontal lines which fully encloses all extremities of the sign, exclusive of its supports.

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c. Construction standards.

1. Compliance with building codes. All signs shall comply with the appropriate detailed provisions of the Tribal building codes, including the Uniform Sign Code as adopted by the Tribe. In the event of a conflict between this Article and a requirement of the Tribal building codes, the more restrictive provision shall apply, unless specifically stated herein to the contrary.
2. Clearance from high voltage power lines. Signs shall be located in such a way that they maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with the Tribal electrical code specifications, provided that no sign, except government traffic signs, shall be installed closer than ten (10) feet horizontally or vertically from any conductor or public utility guy wire.

Section 6-203. Specific Sign Regulations.

a. Awning and marquee signs. Awning and marquee signs are permitted in all areas except conservation and residential areas. Individually cut out words may be attached to, stenciled or otherwise affixed onto awnings. Identification signs suspended no more than one foot from the underside of a canopy or marquee are permitted provided such signs shall not exceed a height of six (6) inches, nor shall such signs extend outside the length or width of its marquee or canopy. Awnings and marquees shall not extend into or over the front yard spaces by more than twenty (20) percent, unless a specific use exception has been issued by the Tribe.

b. Changeable copy signs (manual or automatic).

1. Any premise permitted by this Article to erect a wall or ground sign, in lieu of using the maximum sign area for that premise as provided for in the Table of Basic Design elements, may substitute one-half of the maximum sign area to erect a manual changeable copy sign. Such changeable copy sign may take the form of a wall or ground sign subject to the regulations which apply to each of these signs. When any other ground sign is located on the premise, all ground-changeable copy signs must be physically part of that sign.
2. Automatic changeable copy time and temperature signs are permitted in all areas, except conservation, residential and agricultural areas. Such signs may take the form of wall, ground, or projecting signs subject to the regulations which apply to each of these signs. Ground supported time and temperature signs shall be permitted only where any sidewalk or pedestrian walkway is at least eight feet (8') wide and has a clearance of at least nine feet (9') from the sign at its lowest extremity.

c. Ground signs. Except within residential areas, any premise may display one (1) ground identification sign provided the building or structure in which the

activity is conducted is set back at least thirty feet (30') from the edge of all immediately adjacent streets or one foot from a highway right-of-way. All of the following additional standards shall also apply.

1. All ground signs shall be built in accordance with the standards in the Table of Basic Design Elements.
2. Unless authorized by the Tribal Council, no part of a ground sign, including projecting, may extend into or over an existing public right-of-way.
3. Unless the owner of the sign and the property owner agree in writing to relocate and remove the sign, including projection, at no expense to the Tribe, no part of a ground sign including projection may extend into or over a right-of-way.
4. All ground sign structures or poles shall be selfsupporting structures erected on or set into and permanently attached to concrete foundations. Such structures or poles shall comply with the building codes of the Tribe.
5. If a ground sign faces on two (2) or more streets or highways, then for purposes of determining compliance with the standards of the Table of Basic Design Elements the street frontage which provides the greater height and area allowance shall govern and control.
6. All ground signs must comply with all other provisions of this Article.

d. Illuminated signs. The following types of sign illumination are permitted with the following conditions and limitations:

1. Any bare bulb or bare neon illumination is permitted, except in conservation and residential areas, or within five hundred (500) feet of any such area.
2. Any light from any illuminated sign or flood light used to illuminate a sign shall be shaded, shielded or directed so that the light intensity or brightness shall not interfere with the safe vision of motorists or bicyclists, as determined by the Tribal Police Chief. Any light source used to illuminate a sign shall not be visible from a residential zoning district.
3. All internal illumination shall not exceed ten (10) foot candles measured at a distance of ten (10) feet from the sign.
4. All electrical illuminated signs shall have a disconnecting switch located in accordance with the provisions of the National Electric Code as implemented by the Tribe.

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5. For all illuminated signs, applications for both a sign permit and an electrical permit shall be submitted for approval by the Tribe prior to the installation of any illuminated sign.
6. All illuminated signs must comply with all provisions of this Article.
 - e. Off-street parking signs. Whenever off-street parking is not located on the premises of a business, one (1) identification sign no larger than sixteen (16) square feet in area and eight (8) feet in height may be erected directing persons to the off-premise parking area.
 - f. Projecting signs. Except along the sides of buildings or structures which face or front such areas and in conservation or residential areas, any premise may display one identification projecting sign on each street frontage in accordance with the standard in the Table of Basic Design Elements provided that any projecting sign which is not internally illuminated and is suspended to allow the sign to swing due to wind action shall not exceed sixteen (16) square feet of surface area. All of the following additional standards shall also apply:
 1. All projecting signs must maintain a clear height of nine (9) feet above the ground, and all projecting signs may not project more than five (5) feet from the building wall or two-thirds (2/3) the width of the sidewalk, whichever is less. No part of a projecting sign, including projections, may extend into or over a public right-of-way, unless authorized by the Tribe. Projecting signs which extend into or over the front yard spaces by more than twenty (20) percent are permitted after a special use exception has been issued by the Tribe.
 2. All projecting signs must be fastened directly to the supporting building wall, and the supporting structure must be physically integrated into the sign.
 3. All projecting signs at the intersection of building corners shall intersect at right angles to the building front.
 4. No projecting sign shall extend above the roof line or the parapet wall.
 5. Buildings having two (2) or more stories may not locate signs higher than the second story or twenty-four (24) feet whichever is less.
 6. All internally lighted projecting signs must comply with section 6-203(d)(2) to (6), "Illuminated signs".
 7. All projecting signs shall be constructed entirely of metal or other noncombustible material.
 8. All projecting signs must comply with all other provisions of this Article.
 - g. Temporary signs. After the issuance of a temporary sign permit pursuant to this Article, the following signs may be erected:

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1. For a total period not to exceed thirty (30) days, unlighted on-premise portable signs, banners, and windblown signs such as pennants, flags, and streamers for special events.
2. Construction signs are permitted on a construction project site. The total signage shall not exceed thirty-two (32) square feet in sign area in conservation, agricultural or residential areas or exceed sixty-four (64) square feet in all other areas. Any construction sign shall not be erected prior to issuance of a grading or building permit and shall be removed within fifteen (15) days after issuance of a certificate of compliance.
3. For a total period not to exceed thirty (30) days, unlighted signs directing persons to yard sales, garage sales or similar events, provided that such signs are removed within five (5) days of the occurrence of the event. Any such sign shall not exceed sixteen (16) square feet in area.
4. For a total period not to exceed thirty (30) days, unlighted signs directing persons to special events such as fairs, rodeos, parades and sporting contests. Total signage shall not exceed thirty-two (32) square feet.
- h. Tract identification signs. Except in conservation areas, one on-premise permanent subdivision, church, apartment, fraternal organization, or community facility identification sign for each street frontage is permitted, subject to the following conditions and limitations:
 1. The area of copy of each tract identification sign may not exceed thirty-two (32) square feet, and
 2. No extremity of a sign structure used to support or decorate tract identification signs shall exceed an area of one hundred sixty (160) square feet or be located to impair traffic visibility as determined by the Tribal Police Chief or exceed four (4) feet in height when located within thirty (30) feet of a public right-of-way.
- j. Wall signs. Wall signs, in accordance with the standards in the Table of Basic Design Elements, are permitted in all areas, except in conservation areas. Wall signs may be attached flat to or mounted away from the building wall, but may not project more than twelve (12) inches from the wall of a building or structure. The following additional requirements with respect to wall signs shall apply:
 1. More than one (1) wall sign may be erected provided the total surface area allowed in these regulations is not exceeded; and
 2. All wall signs are subject to the following height limitation:
 - A. No wall sign may extend above parapet walls or above roof lines of buildings with parapet walls; and

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- B. No wall sign may extend above the lower eaves line of a building with a pitched roof, except if the roof is a mansard-type roof in which case the sign may be attached flat against, but not extend above, the roof.

k. Miscellaneous (product, information and political signs). To prevent accidents and clutter, to maintain property values and to promote readability for motorists, the following regulation is enacted. No information sign or product sign may exceed six (6) square feet in area. No political sign may exceed twenty-four (24) square feet in area. The total signable area for political signs, information signs, and product signs located on any premise may not exceed thirty-two (32) square feet. Information and product signs are permitted in all zoning districts, except residential, mobile home, and Tribal governmental areas. Political signs are permitted in all zoning districts provided no political sign shall be erected earlier than the established filing date for an election or shall remain longer than fifteen (15) days after the election.

Section 6-204. Permitted Signs.

Subject to any conditions herein provided or any other laws, regulations or ordinances of the Tribe, the following signs are permitted in all areas as follows:

- a. Flags, emblems, or insignia of any Tribal, national or state government, or other political subdivision.
- b. Governmental signs of any type.
- c. Notice of any judicial or public proceeding posted by public officers or employees in the performance of their duties pursuant to laws, ordinances, regulations, policies and procedures.
- d. Political signs, information and product signs pursuant to Section 6-203(k).
- e. Real estate signs. One on-premise real estate unlighted sign located entirely on any premise which is offered for sale, rent or lease provided that:
 - 1. The maximum area of a real estate sign in residential areas is six (6) square feet. In all other areas, the maximum area of a real estate sign is thirty-two (32) square feet provided no sign shall exceed eight (8) feet in height; and
 - 2. All real estate signs must be removed with ten (10) days after the sale, rental, lease or development of the premise.
- f. Signs required or specifically authorized for a public purpose by an law, statute, regulation or ordinance. The location, number, type, size and illumination of such signs may be of any type authorized by law, statute, regulation or ordinance.

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- g. Signs of government, public utility, public service, railroad companies or their contractors which aid safety, indicate installations or repairs, or which show the location of underground facilities.
- h. Community watch signs. An appropriate number of such signs may be erected after approval by the Tribal Police Department.

Section 6-205. Prohibited Signs.

The following signs are expressly prohibited within all areas:

- a. Any sign which the Tribal Police Chief determines obstructs the view of motorists or bicyclists using any street, private driveway, approach to any street intersection, or which interferes with the effectiveness of or obscures any traffic sign, device or signal.
- b. Illuminated, highly reflective signs or spotlights which the Tribal Police Chief determines hampers the vision of motorists or bicyclists.
- c. Signs, lights, rotating disks, words and other devices which resemble traffic signals, traffic signs or emergency vehicle lights.
- d. Signs, lights, rotating disks, words and other devices not erected by public authority which may be erroneously construed as governmental signs or emergency warning signs.
- e. Any sign which interferes with free passage from or obstructs any fire escape, downspout, window, door, stairways, ladder or opening intended as a means of ingress or egress or providing light or air.
- f. Any sign placed on any curb, sidewalk, post, pole, hydrant, bridge, tree or other surface located on, over or across any public street, right-of-way, property or thoroughfare, unless authorized by the Tribe.
- g. Any newly created flashing signs, traveling lights, or signs animated by lights of changing degrees of intensity, except signs in public rights-of-way.
- h. Any newly erected sign which mechanically moves except signs on public rights-of-way.
- i. Any newly erected roof sign, unless authorized by the Tribe.
- j. The tacking, posting, or otherwise affixing of signs of a miscellaneous character visible from a public way located on the outside walls of buildings, barns, sheds, trees, poles, fences or other structures provided unit number identification signs authorized by this Article, mailbox and paper tube identification signs which do not exceed one (1) square foot in area, and signs which warn the public against danger shall be allowed.

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k. Any newly erected message, copy or announcement which uses a series of two (2) or more signs placed in a line parallel to a street or highway carrying a single message, copy or announcement part of which is continued on each sign.

l. Any sign which pertains to a business, profession, commodity or service which is vacant, unoccupied or discontinued for a period of one (1) year or more; any part of a sign which is unused for a period of one (1) year or more; or any sign which pertains to an event or purpose which no longer applies shall be deemed abandoned. An abandoned sign is prohibited and shall be removed by the owner of the sign or the lessee of the premise. Upon failure to remove a sign within ten (10) days of written notice by the Building Official, the Building Official is hereby authorized to cause removal of such sign at the expense of the owner or lessee of the building or property on which such sign is located.

m. Any sign unlawfully erected or maintained.

Section 6-206. Nonconforming Signs.

a. Within ninety (90) days after the effective date of this Article:

1. Any existing nongovernmental flashing sign shall stop flashing;
2. Any portable sign, banner or windblown sign not authorized by section 6-203(g)(1) shall be removed;
3. Any existing sign which mechanically moves shall cease its movement;
4. Any message, copy or announcement which uses a series of two (2) or more signs following one another placed parallel to a street or highway carrying a single message, copy or announcement part of which is contained on each sign shall terminate.
5. Any existing off-premise sign that is not covered by an existing sign permit shall be removed.

b. Nothing in this Article shall prevent the ordinary maintenance or repair of a nonconforming sign or replacement of a broken part of a nonconforming sign. Whenever any nonconforming sign, or part thereof is altered, replaced, converted or changed, the entire sign must immediately comply with the provisions of this Article.

c. Nonconforming signs which are destroyed or damaged by fifty (50) percent or more of their value shall not be rebuilt or repaired except in conformance with this Article.

d. Any nonconforming sign in existence on the date of enactment shall apply for a permit for such sign within ninety (90) days of the date of enactment of this Article. Any nonconforming sign not specified in section 205(a) through (f) shall receive a permit indicating it is a nonconforming sign. Any sign

conforming or nonconforming that does not obtain a permit shall be considered abandoned and removed pursuant to section 205(I).

Section 6-207. Conditional Uses.

In order to permit the location and construction of signs, the Tribe under uniform rules, standards and regulations set forth in this section may grant conditional uses herein provided. Under this authority, the Tribe shall determine the facts of a particular case and their applicability to the provisions of this section and no permit for such signs shall be issued without the approval of the Tribe. In passing on any case under the authority of this section and as a further guide for its decision, the Tribe shall consider, among other things, the character and use of buildings and structures adjoining or in the vicinity of the property mentioned in the application, accessibility of light and air to the premises and to the property in the vicinity, the type of electric illumination for the proposed use with special reference to its effects on nearby structures and the glare.

a. To permit new and existing on-premise roof signs in business and industrial areas, after a finding by the Tribe that:

1. No ground or projecting sign can be erected on the premise which will comply with this Article;
2. No wall of a building or structure on the premise is closer than one hundred twenty (120) feet from the edge of a street or highway.
3. The erection or continuance of the roof sign shall not adversely interfere with accessibility of light and air to nearby properties;
4. The erection or continuance of the roof sign will not interfere with fire protection.
5. The roof sign is not located within five hundred (500) feet of a residential area; and
6. The area of the roof sign complies with the area allowance for ground signs provided in the Table of Basic Design Elements.

b. To permit in shopping center areas either of the following: (i) one on-premise ground identification sign of an area and height as permitted in the Table of Basic Design Elements for each public street frontage with direct access; or (ii) one (1) on-premise ground identification sign for the entire retail establishment of the height allowable in the Table of Basic Design Elements and a surface area not to exceed a maximum of two hundred (200) square feet for retail establishments less than six hundred thousand (600,000) square feet of gross building area or a maximum of three hundred (300) square feet for retail establishments greater than six hundred thousand (600,000) square feet of gross building area, after a finding by the Tribe that:

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1. The sign will be located on a tract of land comprising three-quarter (3/4) acres of more containing at least one (1) building or a group of buildings with more than three (3) nonresidential establishments;
 2. The building or group of buildings was built as one (1) entity with regard to common architectural features, planned or built contemporaneously in time, or built by a common contractor;
 3. Approved signs will not contain any other message, copy of announcement except to identify the name of the retail center or its establishments;
 4. No other ground sign is located within the shopping center or shopping area or located on any premise which was formerly part of the shopping center and shopping area; and
 5. Signs greater than two hundred (200) square feet must be set back from a building or property line a distance, measured from the front and back faces of the sign, equal to the height from the ground.
- c. In all other cases, to permit new signs in specific cases which vary from the specific terms of this Article which will not be contrary to the public interest and where, owing to special circumstances, a literal enforcement of the provisions of this Article will, in an individual case, result in unnecessary hardship, and provide that the spirit of this Article shall be observed, public safety and welfare secured, and substantial justice done. Such variance shall not permit any use not permitted by the zoning code for such district. A request for a conditional use may be granted in such cases, upon a finding by the Tribe that the following conditions have been met:
1. That the granting of the permit for the conditional use will not adversely affect the rights of adjacent property owners or residents;
 2. That the strict application of the provisions of this Article of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application;
 3. That the conditional use desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare; and
 4. That granting the conditional use desired will not be opposed to the general spirit and intent of this Article.

CHAPTER 3. OFF-PREMISE SIGNAGE (OUTDOOR ADVERTISING SIGNS)

Section 6-301. Purpose.

Outdoor advertising signs are herein regulated in the interest of promoting traffic safety, safeguarding public health and preventing adverse community appearance and the overcrowding of land, and protecting the character of the area in which they are located. The regulations are designed to permit maximum legibility and effectiveness of signs and to prevent their over concentration, improper placement, and excessive height, bulk and area. It is recognized that, unlike on-premise signs which are in actuality a part of a business, outdoor advertising is a separate and distinct business. With a view to this distinction, outdoor advertising signs are regulated differently from on-premise signs. In general, it is intended that outdoor advertising signs be located away from residential areas, that such signs be regulated to permit industry standard size signs, to protect the character of the area wherein outdoor advertising signs are located, and to conserve property values in these areas, and that outdoor advertising signs be constructed and located to prevent damage from toppled signs.

Section 6-302. Design Regulations.

All outdoor advertising signs shall be consistent with all definitions and shall comply with all standards and regulations of this Article. Except for ordinary maintenance, poster panel replacements, copy changes, or repair not involving structural, material or electrical changes, no outdoor advertising signs, or part thereof, shall be erected, altered, constructed, changed, converted, enlarged or moved unless in conformity with this Article.

a. Area of outdoor advertising signs. Except for outdoor advertising signs with cutouts, no outdoor advertising sign may exceed six hundred seventy-five (675) square feet in area, with a maximum length of sixty (60) feet. The sign area is measured by finding the area of the minimum imaginary rectangle or square of vertical and horizontal lines which fully enclose all extremities of the sign, excluding support, base or apron, unless such copy, message, announcement or decoration appears on the base or apron. The maximum area of all cutouts appearing on any outdoor advertising sign may not exceed ten percent (10%) of the area of the outdoor advertising sign. The sign area of a cutout is measured by finding the area of the imaginary rectangle or square of vertical and horizontal lines which fully enclose all extremities of the cutout. The allowable sign area of signs with equal size and shape for both double-faced (back-to-back) and V-type signs is measured by computing the area of only one side of the sign.

b. Height. No outdoor advertising sign, including cutouts, base, apron, supports, supporting buildings or structures and trim, shall exceed a height of thirty-five feet (35') from the roadbed of the adjacent road or highway to which the display is oriented or a height of thirty-five feet (35') from the grade on which it is constructed, whichever is greater.

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c. Construction standards.

1. Compliance with building codes. All signs shall comply with the appropriate detailed provisions of Tribal building codes. All signs shall be built in accordance with plans prepared and ink signed by a licensed civil engineer and submitted to the Building Official.
2. Clearance. Clearance from high voltage power lines. Outdoor advertising signs shall be located in such a way that they maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with the Tribal building codes provided that in no case shall an outdoor advertising sign be erected closer than ten (10) feet horizontally or vertically from any conductor or public utility guy wire.
3. Clear sight triangles. Adequate visibility for vehicular and pedestrian traffic shall be provided at clear sight triangles at all ninety degree (90°) angle intersections of public rights-of-way, and private driveways, through the following measures:
 - A. There shall be no man-made visual obstruction, except by a maximum of two (2) posts or columns of up to one (1) foot in cross section.
 - B. The two forty-five degree (45°) angle corners of the clear sight triangle shall be located thirty feet (30') from the road intersection and ten feet (10') from the intersections of private driveways or alleys with streets or alleys.
 - C. No sign or any portion thereof shall extend over a property line onto an adjacent property or right of-way.
 - D. No sign shall interfere with a driver's or pedestrian's view of public rights-of-way or in any other manner impair public safety, or interfere with the safe operation of a motor vehicle on public streets. This includes, but is not limited to, the driver's view of approaching, merging or intersection traffic. There shall be a minimum clearance of fourteen feet (14') between the grade and the lowest extremity of the sign, exclusive of supports.
 - E. Only freestanding signs shall be allowed.
 - G. No sign shall be attached to or painted on natural features, such as trees, shrubs or rocks.
 - H. No more than two (2) faces of a single sign may be viewable at one time.
4. Setback requirements. All outdoor advertising signs with an area greater than two hundred (200) square feet shall not be erected within an established setback or building line. No outdoor advertising shall be erected within established road right-of-way lines or future right of-way lines that have been established by a specific plan, unless the sign is a wall

sign. All outdoor advertising signs shall be placed within six hundred feet (600') of right-of-way but no closer than one (1) foot to any right-of-way.

5. Spacing signs. Along major access corridors, outdoor advertising signs shall be located five hundred feet (500') apart. Along all other streets, outdoor advertising signs shall be located three hundred feet (300') apart. Governmental signs, and outdoor advertising signs no more than seventy-five (75) square feet in area which provide directional information about religious sites shall not be counted nor shall measurements be made from them for purposes of determining compliance with spacing requirements. The minimum distance between outdoor advertising signs shall be measured linearly along the nearest edge of the pavement between points directly opposite the sign. Spacing requirements shall apply only on outdoor advertising signs located on the same side of the street or highway.

Section 6-304. Specific Outdoor Advertising Sign Regulations.

Outdoor advertising signs which comply with the provisions of this Article and which contain no more than two (2) surfaces facing in one direction are permitted in all industrial areas, business areas, and pursuant to an approved ground lease for such signs in open areas.

Section 6-305. Prohibited Signs.

The provisions contained in section 6-204 are expressly made applicable to all outdoor advertising structures.

CHAPTER 4. SIGN PERMITS

Section 6-401. Application, Issuance.

Application for sign permits for use or construction shall be made as other building permits are applied for, to the Building Official, who shall have authority to pass on them, issuing permits for those that conform to the provisions of this Article. The following special requirements shall be complied with before a sign permit is issued:

- a. The applicant shall provide evidence that the applicant has a valid agricultural, business or ground lease or other evidence of possession or right to conduct activities on the property where the sign is to be located;
- b. If the proposed sign advertises activities located off premises, the valid agricultural, business or ground lease for the premises shall indicate that off-premise advertising is authorized under the terms of the lease and under this Article. For land held other than by lease, the applicant shall show that the proposed sign is authorized under this Article; and

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c. A sketch containing the proposed copy for a sign, the sign's dimension, the type of sign (using categories defined in this Article) and proposed materials shall also be submitted.

d. If the sign is of a type not allowed under this Article for the use in question, a copy of the action taken by the Tribe authorizing the special use shall be submitted.

Section 6-402. Fees.

A sign permit and a plan-checking fee shall be paid in accordance with the schedule established by the Tribe. Fees shall be waived for Tribal enterprises. Such waiver shall not relieve the obligation of the Tribal Enterprise to comply with the provisions of this Article.

Section 6-403. Exemptions.

The following signs shall not require a sign permit. These exemptions shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance, and its compliance with the provisions of this Article or any other law or ordinance regulating the same.

a. The changing of the advertising copy or message on a painted or printed sign only. Except for theater marquees and similar signs specifically designed for the use of replaceable copy, electric signs shall not be included in this exemption.

b. Customary maintenance shall not be considered an erection or alteration which requires a permit. "Customary maintenance" means any activity performed on an advertising display for the purpose of actively maintaining the display in its existing approved physical configuration and size dimensions at the specific location approved on the permit for the duration of its normal life. Customary maintenance includes the following activities:

1. The changing of advertising message, including temporary alteration of the outside dimensions of a display in the form of add-ons or cut-outs as incident to a change in copy.
2. The routine replacement of border and trim.

Customary maintenance does not include the following (all of which acts shall be considered as a placing of a new advertising display):

1. Raising the height of the display from ground level.
2. Relocation of all or a portion of a display.
3. Adding a back-up panel facing to a single panel display.
4. Increasing any dimension of any panel facing.

5. Turning the facing direction of a single facing display.
 6. Any repair or refurbishing of a display that exceeds fifty percent (50%) of the value of the display in its preexisting state shall be considered as an act of placing a new advertising display. Detailed records of the direct and indirect costs shall be retained by the permittee for a period of four (4) years from the date the repair work is completed and shall be available to the Tribe.
- c. Temporary signs directing persons to yard sales, garage sales, or similar events shall not require a permit. Such signs must be removed within five (5) days of the event. Such signs shall comply with all other applicable provisions of this Article.
- d. Government signs erected pursuant to the exercise of a governing body's police power to protect health, welfare and safety shall not require a permit. In addition, such signs that pertain to traffic regulation may be located within a road right-of-way.

Section 6-404. Conditions Precedent to Issuing.

The Building Official shall not issue any permit for the construction, reconstruction, extension, repair or alteration of any signs, or part thereof, unless the plans, specifications and intended use of such sign, or part thereof, conform in all respects to the provisions of this Article. Each application for a permit shall contain such information as may be necessary to enable the Building Official to determine whether the application complies with the provisions of this Article and shall be accompanied by a plat, in duplicate, drawn to such scale as the Building Official may require, showing the actual dimensions of the signs, the area to be built upon, the size and situation of all existing buildings involved in the application, the names of all streets upon which the lot abuts or, in the discretion of the Building Official in lieu of such plat, the application shall be accompanied by such information as the Building Official may require to enable action upon such application. If an application does not conform to the provisions of this Article, it shall be disapproved by the Building Official, who shall notify the applicant in writing, with the reasons for the disapproval.

Section 6-405. Liability.

The granting of a sign permit shall not be deemed to be a permit for or approval of any violation of these regulations. The provisions of these regulations shall not be construed as relieving or limiting in any way the responsibility or liability of any person, firm, corporation, its agents, employees or workmen, in the construction, maintenance, repair or removal of any sign erected in accordance with a permit issued hereunder. Nor shall issuance of a permit be construed as imposing upon the Tribe or its officers or employees, any responsibility or liability by reasons of the approval of any signs, material or devices under the provisions of this Article. Nothing contained in this Article

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shall be deemed to constitute a waiver or renunciation of the sovereign immunity of the Tribe for any purpose.

Section 6-406. Permit Identification.

A Permit Identification Sticker shall be issued for each sign for which a permit is issued. This Permit Identification shall be placed in the lower right hand corner of the sign and shall remain thereon at all times. Replacement stickers for a lost or destroyed Permit Identification Sticker may be obtained from the Building Official for good cause shown and payment of a Ten Dollar (\$10.00) replacement fee.

CHAPTER 7. ENFORCEMENT

Section 6-701. Penalties.

Any person controlling or managing any building, sign or land wherein or whereon there shall be placed or there now exists any sign in violation of this Article, any person who shall assist in the commission of any violation of this Article, any person who shall build contrary to this Article after plans and specifications have been submitted to and approved by the Building Official, or any person who shall omit, neglect or refuse to do any act provided for in this Article, shall be subject to a fine not to exceed \$1,000 per occurrence. Each day that the violation exists shall be considered a separate occurrence. In addition, the Tribe reserves the right to utilize any other method allowed by the laws applicable to the Colorado River Indian Reservation to ensure compliance with this Article. Any person in violation of this Article shall be issued a citation by the Building Official or other authorized Tribal law enforcement officials. The violator shall have the option of paying the penalty within fifteen days of the date of the citation or requesting a hearing in Tribal Court. The Tribal Court shall have jurisdiction over all such disputes. Any citation that is not paid within the required period or where a hearing is requested shall be referred to the Tribal prosecutor for prosecution. Any person failing to pay a citation and who does not request a hearing shall be subject to a doubling of the fine and be responsible for court costs. Any person who requests a hearing shall be responsible for court costs if the citation is upheld.

LAND CODE
ARTICLE 7
LEASING AND ASSIGNMENT OF TRIBAL LANDS

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LAND CODE

ARTICLE 7

LEASING AND ASSIGNMENT OF TRIBAL LANDS

[NOTE: Except as otherwise noted, the provisions of Article 7 of the Land Code were enacted on March 2, 1956, were amended August 4, 1962 by Resolution No. R-30-62, and were confirmed and re-enacted on October 1, 1975 by Ordinance No. 27. The provisions of Ordinance No. 27 were renumbered and codified to the Land Code on January 11, 1992 by Section 2 of Ordinance No. 92-2.]

Section 7-101. Allotted Lands.

a. Allotted lands, including heirship lands, within the Colorado River Reservation, shall continue to be held as heretofore by their present owners.

b. It is recognized that under existing law such allotted lands, including heirship lands, may be condemned for public purposes; such as roads, public buildings or other public improvements, upon payment of adequate compensation, by any agency of the State of Arizona, or California, or of the Federal Government, or by the Tribes themselves.

c. It is further recognized that under existing law, such lands (allotted lands, including heirship lands) may be inherited by the heirs of the present owner, whether or not they are members of the Tribes.

d. Likewise, it is recognized that under existing law, the Secretary of the Interior may, in his discretion, remove restrictions upon such land (allotted lands, including heirship lands) upon application by the Indian owner, whereupon the land will become subject to state taxes, and may then be mortgaged or sold.

Section 7-102. Tribal Lands.

a. Tribal lands for the purpose of tribal administration are hereby defined as follows: the unallotted, unassigned and unreserved lands of the reservation. All assigned lands, both standard and exchanged assignments, shall be considered henceforth as individually controlled, and all agricultural and livestock income derived from the use thereof, whether it be through the farming efforts of the individual assignee or through leasing, shall be considered the personal property of the assignee and not of the Tribes. Such assignees shall have the right without tribal assent to lease their assignments subject to the applicable rules and regulations applying to restricted lands as contained in Part 162 of Title 25 of the Code of Federal Regulations.

b. Tribal lands may be assigned to members of the Colorado River Indian Tribes, or leased, or otherwise used by the Tribes as hereinafter provided.

[As Amended January 11, 1992, Ord. No. 92-2, § 3.]

Section 7-103. Leasing of Tribal Lands.

a. Tribal lands may be leased by the Council, with the approval of the Secretary of the Interior, for such periods of time as are permitted by law and regulations.

b. In the leasing of tribal lands, preference shall be given first, to Indian cooperative associations, and second, to individual Indians who are members of the Tribes.

LEASING AND ASSIGNMENT OF TRIBAL LANDS

d. Assignments made under this section (Section 7-104) shall be known as "Standard Assignments."

e. Upon the death of any Indian holding a standard assignment, his heirs, or other individuals designated by him by will or by written request, shall have a preference in the reassignment of the land, provided such persons are members of the Colorado River Indian Tribes, who would be eligible to receive a standard assignment.

f. Where no will or written request has been made by the holder of a standard assignment, designating the person he desires to have his land reassigned to, his heirs, as determined by proper probate procedure, shall choose one of their number to exercise the preference right set forth in the Constitution and the Council shall reassign the standard assignment of the deceased member to the heir so chosen, provided such action does not give that person control of more land than his ability to farm warrants.

g. When the deceased holder of a standard assignment has willed his assignment to a person who is under the age of twenty-one (21) at the time for the testator's death and where the Council has made reassignment to an underage person, the land may be farmed or leased by the parent or guardian appointed by the Tribal Court until such time as the child comes of age or marries; provided, that if it be leased, the lease shall have the approval of the Superintendent and that the rentals shall be paid to the parent or guardian for expenditure for the benefit of the minor child.

h. When an heir by will, or by selection, as provided for herein, dies before reaching the age of majority or marriage, the standard assignment inherited from the father or other relative shall be cancelled, and shall then be subject to reassignment.

Section 7-105. Leasing of Exchange Assignments.

Exchange assignments may be used by the assignee or leased by him to Indian cooperative associations, to individual members of the Tribes, or if no individual Indian or Indian cooperative association is able and willing to rent the land at a reasonable fee, such assignments may be leased to non-Indians, in the same manner as allotted lands.

Section 7-106. Inheritance of Exchange Assignments.

Upon the death of the holder of any exchange assignment, such land shall be reassigned by the Council to his heirs or devisees, subject to the following conditions:

a. Such lands may not be reassigned to any heirs or devisees who are not members of the Tribes, except that a life assignment may be made to the surviving widower or widow of the holder of an assignment.

b. Such lands may not be subdivided among heirs or devisees into units less than ten (10) acres and no area of agricultural land shall be subdivided into units smaller than 20 acres, except that land used for buildings or other improvements may be divided to suit the convenience of the parties. Where it is impossible to divide the land properly among the eligible heirs or devisees, the Council shall issue to such heirs or devisees, interest in Tribal land or property of the same value as the assignment of the decedent.

Section 7-107. Inheritance of Improvements.

Improvements of any character made upon assigned land may be bequeathed to and inherited by members of the Tribes or otherwise disposed of under such regulations as the

LEASING AND ASSIGNMENT OF TRIBAL LANDS

a. Tribal funds may be used, with the consent of the Secretary of the Interior to acquire land, under the following conditions:

(1) Restricted land, which is in heirship status at the time of adoption and approval of the Constitution, may be purchased by or for the Tribes, with the consent of all the adult heirs, and the legal guardians of minor heirs, payment therefor to be made as may be agreed upon.

(2) Land owned by any member of the Tribes who desire to leave the Reservation permanently, may be purchased by the Tribes under such terms as may be agreed upon.

Section 7-110. Method of Making Assignments.

Application for assignments shall be filed with the Secretary of the Council and shall be in writing, setting forth the name of the person or persons applying for the land, and as accurate a description of the land desired as the circumstances will permit. Notices of applications received by the Secretary shall be posted by him in the agency office and in at least three other conspicuous places on the Reservation not less than twenty (20) days before action is taken by the Council. Any member of the Tribe wishing to oppose the granting of an assignments shall do so in writing, setting forth his objections, to be filed with the Secretary of the Council, and may if he so desires, appear before the Council and present evidence. The Secretary of the Council shall furnish the superintendent or other officers in charge of the agency, a complete record of all action taken by the Council on applications for assignments of land, and a complete record of assignments shall be kept in the agency office and shall be open for inspection by members of the Tribes.

a. Assignments of irrigable land shall be made in units of eighty (80) acres to a family; it being understood that a family shall comprise all persons occupying a single habitation, or living in a single domestic group and who are dependent upon some person, who may be said to be the head of the family; provided, that a child over twenty-one (21) years of age and of sound mind and body, shall not be considered a dependent of the family.

b. Application for a family assignment of land shall be made by the head of the family, and the assignment, when made, shall be to such person as the head of a family.

c. A single person, male, over the age of twenty-one (21), living with the family of which he is a member shall be entitled to apply for an assignment of eighty (80) acres of irrigable land; provided, that he or the responsible head of the family, can and will make proper use of the assigned land for the benefit of the family shall be considered his equitable contribution to the support of the family under whose roof he lives.

d. When a man marries, he becomes eligible for an assignment of eighty (80) acres of tribal land as the head of a family; provided, that he has not already received an assignment as a single man, over the age of twenty-one (21), as provided for in Paragraph (c) of this Section.

e. If a member of the Tribes marries a person who is not a member of the Tribes, the member of the Tribes shall be considered as a head of a family, and shall be entitled to make application for an assignment of land as such; yprovided, that if such member dies without living children after having received an assignment of land, the land so assigned shall revert to the Tribes; and provided further, that the surviving spouse shall have the right to apply to the Tribal Council for a lease on the assignment, paying the Operation and Maintenance charges and a rental to the Tribes to be determined by the

Ordinance No. 99-02

Be it enacted by the Tribal Council of the Colorado River Indian Tribes that the Land Code of the Colorado River Indian Tribes is hereby amended to include a new Article VIII governing Mobile Homes as follows:

TITLE 15: LAND CODE

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TITLE 15: LAND CODE

ARTICLE I. MOBILE HOMES

CHAPTER 1. GENERAL PROVISIONS

Section 15-1101. Purpose.

This is an ordinance enforcing minimum standards for Mobile Home and Mobile Home Parks. Establishing requirements for the design, construction, alterations, extension and maintenance of the same, which includes all related utilities and facilities. The Ordinance will authorize the issuance of permits and authorizing inspections and fixing penalties for violations. This ordinance is adopted to preserve, protect and promote the public health, safety, prosperity and general welfare of the members of the Colorado River Indian Tribes and the residents of the Reservation.

Section 15-1102. Definitions.

(a) Unless the context specifically requires otherwise, as used in this Article:

- (1) Individual Utilities means the provision for each mobile home of; a separate meter, connection to electrical service; separately tapped water service from an approved public water supply or a separate private water supply; and a separately tapped connection to an approved public sewer system or a separate private sewage disposal system. Water and wastewater systems shall be in compliance with the Safe Drinking Water Act and U.S. Environmental Protection Agency (EPA) rules and regulations.
- (2) Mobile Home or Manufactured Home means a structure designed for permanent habitation and so constructed as to permit its transport on wheels, temporarily or permanently attached to its frame, from the place of its construction to the location or subsequent locations, at which it is intended to be a permanent habitation and designed to permit the occupancy thereof as a dwelling place for 1 or more persons. Any such structure served by individuals utilities and resting on a permanent foundation, with wheels, tongue and hitch permanently removed, shall not be construed as a manufactured home.
- (3) Motor Home means a vehicular unit designed to provide temporary living quarters for recreational, camping, or travel use built on or permanently attached to a self-

propelled motor vehicle chassis or on a chassis cab or van that is an integral part of the completed vehicle (See Recreational Vehicle.)

- (4) Mobile Home Park means tracts of lands upon which independent mobile homes are located for permanent habitation and shall include any building, structure, tent, vehicle, or enclosure used or intended for use as a part of the equipment of such mobile home parks.
- (5) Recreational Vehicle means a vehicular-type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities include, but are not limited to: travel trailer, camping trailer, truck camper, and motor home.
- (6) Recreational Vehicle Park means a plot of land upon which two or more recreational vehicle sites are located, established, or maintained or occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.
- (7) Travel Trailer means a vehicular unit mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use, of such size or weight as not to require special highway movement permits when towed by a motorized vehicle, and of gross trailer area less than 320 square feet (29.77 sq m). (See Recreational Vehicles).
- (8) Truck Camper means a portable unit constructed to provide temporary living quarters for recreational, travel, or camping use, consisting of a roof, floor, and sides, designed to be loaded onto and unloaded from the bed of a pick-up truck. (See Recreational Vehicle.)

Section 15-1103. Development Process.

Any and all persons requesting permission to set up a mobile home or develop a mobile home park shall comply with the CRIT Land Code Development Review Process administered by the CRIT Planning Department and contact CRIT Realty for any licenses or leases. Planning and Realty will prepare and submit documents to CRIT Resource Development Committee (RDC) for review and comments. RDC will make recommendations to Tribal Council for final approval.

Section 15-1104. Development Requirements.

(a) To meet the purpose, all uses shall comply with the following minimum standards for the particular type of development:

- (1) Minimum Park Size. The minimum park shall be a minimum of two (2) acres. No parcel or tract of land less than two (2) acres shall be eligible for consideration unless it adjoins an existing Mobile Home (MH) Zoning District and is proposed as an expansion to an existing subdivision, park, or cooperative, which otherwise meets the minimum required development standards specified herein.
- (2) Development Type. The maximum allowable density within the (MH) classification shall be determined according to a minimum lot area of four thousand (4,000) square feet per unit within a subdivision, and a minimum space size of two thousand eight hundred (2,800) square feet per unit within a park or cooperative.

	SUBDIVISION	PARK OR COOPERATIVE
Lot/Space Size	2 acres	2 acres
Lot/Space Width:		
Interior lots/space	50 ft.	40 ft.
Corner lots/spaces	60 ft.	50 ft.
Lot Depth	80 ft.	70 ft.
Street Yard Setback	10 ft.	10 ft.
Interior Yard Setback	7 ft.	5 ft.
Rear Yard Setback	10 ft.	5 ft.
Maximum Lot Coverage	50%	50%
Maximum Building Height	20 ft.	20 ft.

- (3) Setback for Accessory Structures. Any detached accessory structure not containing living quarters may be located up to a side or rear property line within the rear quarter of the lot or space, subject to the applicable requirements of any building code as may be adopted by the Colorado River Indian Tribes. If not located within such rear quarter, such accessory structure(s) shall comply with the minimum setback requirements specified by this section.

- (4) Street Design and Improvements. All streets within any subdivision, park, or cooperative shall have a minimum width of thirty-two (32) feet measured edge to edge, exclusive of any curbing or other pavement border. Plans for such improvements shall be reviewed by Planning Department and, Building Inspector for conformance with the minimum standards for paving as adopted by the Tribal Council. All streets within a subdivision shall be dedicated right of way, while any street within a park or cooperative shall be private. All lots or spaces shall be designed in such a manner to have access and frontage on improved street.
- (5) Storm Drainage. Any site developed as a subdivision, park, or cooperative shall be designed and improved to achieve an adequate means of surface storm water drainage. Plans and details to achieve these provisions shall be submitted to the Tribal Planner and RDC for review and approval.
- (6) Utilities. Water, sewer, telephone and electrical utilities shall be provided to each lot or space within the development, subject to the standards and requirements as may be adopted by the Tribe. Overhead utility lines shall be prohibited.
- (7) Fire Hydrants. Fire hydrant of the type approved by the CRIT Fire Chief shall be provided throughout the interior of the development, subject to the maximum spacing interval as specified by CRIT Fire Department.
- (8) Refuse Collection. Facilities for refuse collection within the development shall be collected by the Tribes Landfill Department at the expense of the MH district lessee. Such facilities shall be screened from view by a solid wall, fence, or dense planting.
- (9) Walls and Fences.
 - (A) The exterior property line of any subdivision, park, or cooperative shall be bounded by a six (6) foot high masonry wall.
 - (B) A maximum three (3) foot height may be established along any street line, or within any street yard setback area as defined herein. A maximum six (6) foot fence height may be established along any side or rear property line or space line, or within any side or rear yard setback area. Any wall or fence enclosure as may be erected shall also be subject to the traffic visibility.

- (10) Signing. Any signs as may be erected shall comply with the standards and requirements of Article VI - Sign Regulations of Land Code.
- (11) Recreational Vehicles. The connection of any recreational vehicle to utilities for occupancy as either a primary or secondary dwelling unit within a subdivision, or as a secondary dwelling unit within a park or cooperative, shall be prohibited.

Section 15-1105. Additional Requirements.

(a) All manufactured dwellings shall be set upon a foundation wherein the exterior arcade material of the dwelling shall be extended to a level not greater than six (6) inches above ground level.

(b) The installation and connection to utilities for any manufactured dwelling on a lot or space shall be subject to a permit and subsequent inspections from CRIT Building Inspector.

© Mobile homes are restricted to model years of twenty (20) years or less from the current year for the Parker Valley and to ten (10) years or less from the current year for the California side of the Reservation.

Section 15-1106. Permits/ Leases/ Licenses.

Installation Permits shall be issued by CRIT Building Inspector. All Mobile Homes/Mobile Home Parks construction plans shall comply with the Uniform Building Code, and Housing and Urban Development (HUD) Manufactured Home Procedural and Enforcement Regulation and Consumer Manual Requirements, 24 CFR 3280.3 (1997).

The Tribal Realty Department shall have the authority to issue all leases and issue any applicable licenses after completion and approval of Section 15-1103 of this Ordinance. All Tribal Realty Department policies and procedures shall apply.

Section 15-1107. Inspections.

The Tribal Council has authorized specific Tribal Departments to enforce this Ordinance. Each department shall have the responsibility for their areas of concern. These departments shall include, but not be limited to, CRIT Planning, Realty Department, CRIT Building Inspector, CRIT Water Department, CRIT Environmental Protection Office, CRIT Fire Department.

Department	Authority
CRIT Planning Department	Land Code Article 2 and 5
Realty	Land Code Article 7.
CRIT Building Inspector	Uniform Building Code, Health and Safety Code, Article 1. Building and Construction Chapter 1 through 8, Housing and Urban Development (HUD) Code of Federal Regulations 24, Parts 1700, revised April 1, 1997, Subpart A-General, 3280.3 Manufactured home procedural and enforcement regulations and consumer manual requirements, Land Code Article 6
The CRIT Water Department	Tribe's Public Utilities Code.
The CRIT Environmental Office (EPO)	Responsible for human safety and the protection of the environment and receives its authority to enforce this Ordinance from the Tribal Council. The EPO is responsible for any and all enforcement activity as a result of inspections performed by Indian Health Service and Bureau of Indian Affairs who have a trust responsibility to the tribe.
CRIT Fire Department	CRIT Health and Safety Code Article 6 Fire Prevention and Safety Chapter 1 through 5 and the Life and Safety Code.

Section 15-1108. Authority.

The CRIT Tribal Council and its delegates shall have final authority to maintain and enforce this Ordinance.

Section 15-1109. Notices, Hearing/Order.

(a) Whenever the enforcing agency determines that there are reasonable grounds to believe that there has been a violation of any provisions of this Ordinance, the Enforcing Agency shall give notice of such alleged violation to the person to whom the permit or license was issued, as hereinafter provided. Any person affected by any

notice which has been issued in connection with the enforcement of any provision of this Ordinance, may request and shall be granted a hearing on the matter before the enforcing agency. After such hearing the enforcing agency shall make findings as to compliance with the provisions of this Ordinance and shall issue an order in writing sustaining, modifying or withdrawing the notice which shall be served. Upon failure to comply with any Order, the license for whom license was issued shall be revoked.

(b) Whenever the enforcing agency finds that an emergency may exist which requires immediate action to protect the public health, the agency may without notice or hearing issue an order reciting the existence of such an emergency and requiring that such action be taken as may deem necessary to meet the emergency including the suspension of the permit or license.

© All hearings are before the RDC. If a party is not satisfied with RDC's decision, he or she can appeal to the Tribal Council.

Section 15-1110. Environmental, Open Space, Access Requirements.

General - Environmental Compliance requires adherence to any and all Federal and Tribal environmental laws and ordinances adopted by the Tribe. Open Space and Access Requirements shall comply with the Uniform Building Code.

Section 15-1111. Water Supply.

Park water distribution systems shall be designed and installed as set forth in the 1997 Edition of the Uniform Plumbing Code, Chapter 10, and Appendix A of the Uniform Building Code. The Water Supply is maintained and regulated by CRIT Utility in accordance with the Safe Water Drinking Act.

Section 15-1112. Sewage Disposal.

(a) Wastewater systems shall be designed, constructed and maintained in accordance with Federal and Tribal laws and regulations. All raw or partially treated sewage within a mobile home park shall discharge into the joint use sewage system or sewage disposal system approved by CRIT Environmental Protection Office.

(b) Wastewater Collection System. All plumbing and installation in mobile home parks and mobile home lots shall comply with the requirements of the 1997 Edition of the Uniform Plumbing Code, except Part 1 and Appendix B, and as otherwise permitted or required by this article.

Section 15-1113. Electrical Distribution System.

CODE

Except as otherwise permitted or required by this Article, all electrical installations outside of permanent buildings in mobile home parks shall comply with the applicable requirements for installations of 600 volts or less of the 1997 Edition of the National Electrical Code, except Articles 550 and 551 enforced by Building Inspector.

Section 15-1114. Service Building/Other Community Serving Facility.

All service buildings and other community serving facility shall be permitted and built in accordance with the Uniform Building Code.

Section 15-1115. Refuse Handling.

Refuse handling shall comply with the Tribal Solid Waste Management Plan and any other applicable laws and regulations. It shall be the responsibility of the Landfill Director and the Tribe's Environmental Protection Office Solid Waste Division to assure compliance with this Ordinance.

Section 15-1116. Fuel Supply/Storage.

Natural Gas liquefied petroleum gas systems, and fuel oil supply systems shall comply with all applicable Tribal and Federal laws and regulations.

Section 15-1117. Fire Protection.

The CRIT Fire Chief and his delegates shall enforce the Health/Safety Code and Life and Safety Code to ensure compliance with this Ordinance. By way of Resolution #178-90 dated 08-20-90 the CRIT Fire Chief was authorized to enter into a Mutual Aid Agreement to occasionally combat fires in non-tribal jurisdiction or near the Reservation and non-tribal fire departments are agreeable to enter into mutual aid agreements with each other.

Section 15-1118. Miscellaneous Requirements.

(a) The persons to whom a license for a single residential mobile home set up and/or mobile home parks are issued shall operate in compliance with this Ordinance and regulations issued hereunder and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in clean and sanitary condition. Owners of mobile homes and park occupants shall comply with all applicable requirements of this Ordinance and regulations issued hereunder and shall maintain his mobile home lot, its facilities and equipment in good repair and in a clean, sanitary condition.

(b) Restrictions on Occupancy. A mobile home shall not be occupied

for dwelling purposes unless it is properly anchored on a mobile home stand and connected to water, sewerage and electrical utilities.

© Special consideration shall be given to Tribal members for those housing units to be used for his/her immediate family. Certain dispensation shall be determined on a case-by-case basis upon recommendation of the Resource Development Committee. Units to be occupied by non-Tribal members shall adhere to all provisions of this ordinance.

Section 15-1119. Incorporated by Reference.

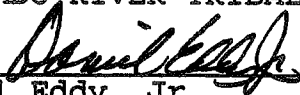
The following codes and ordinances are hereby incorporated by reference. Health and Safety Code, Article 1. Building and Construction Chapter 1 through 8; Article 6 Fire Prevention and Safety Chapter 1 through 5; Land Code Article 2 and Article 5; Public Utilities Code; Uniform Building Code and Life and Safety Code. Housing and Urban Development (HUD) Code of Federal Regulations 24, Parts 1700, revised April 1, 1997, Subpart A-General, 3280.3 Manufactured home procedural and enforcement regulations and consumer manual requirements, and the Indian Health Service (IHS) Environmental Health Guide for Mobile Home Communities.

J CODE

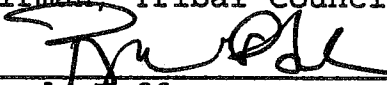
The foregoing Ordinance was enacted on March 5, 1999, duly approved by a vote of 5 for and 1 against, by the Tribal Council of the Colorado River Indian Tribes, pursuant to authority vested in it by Article VI of the Constitution of the Tribes, ratified by the Tribes on March 1, 1975, pursuant to Section 16 of the Act of June 18, 1934 (25 U.S.C. Section 476). This ordinance is effective as of JULY 1, 1999.

COLORADO RIVER INDIAN TRIBES

COLORADO RIVER TRIBAL COUNCIL



Daniel Eddy, Jr.
Chairman, Tribal Council

 ACTING

LaWanda Laffoon
Secretary, Tribal Council

thirddrift/bjf